

PATENT

Attorney Docket No. 28753/US/3  
Flehr No. A-72186-1/TAL/DCF  
Matter No. 471702-00008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Examiner: Not yet assigned

QI, et al.

Group Art Unit: 1645

Serial No.: 10/804,763

CERTIFICATE OF MAILING

Filing Date: March 19, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on August 15, 2004.

For: *Gene Therapy Vectors Having Reduced Immunogenicity*

Signed

*Mari Kleineidam*  
Mari Kleineidam

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following :

1. **COPY** of Power of Attorney by Assignee, together with a copy of the Assignment

☒ No additional fee is required.

☐ Our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for a \_\_\_\_\_ is enclosed.

☒ Also enclosed is/are: 1) Return Receipt Postcard.

☐ Please charge the above-calculated fee in the amount of \$ \_\_\_\_\_ to Deposit Account No. 50-2319, referencing Order No. A - \_\_\_\_\_ (\*\*\*\*\*-\*\*\*).

☒ Please charge any additional fees, including extension fees, or credit any overpayment to Deposit Account No. 50-2319, referencing Order No. A-72186-1/TAL/DCF (471702-00008).

Four Embarcadero Center, Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

Customer No. 32940

Respectfully submitted,

DORSEY & WHITNEY LLP

By: *David C. Foster*

David C. Foster,

Reg. No. 44,685

Attorney for Applicant(s)

Filed under 37 C.F.R. §1.34(a)

## POWER OF ATTORNEY BY ASSIGNEE


The undersigned assignee of the entire interest in application for letters patent entitled: GENE THERAPY VECTORS HAVING REDUCED IMMUNOGENICITY, and having the named inventor(s), Yan Qi, Xianghua Zhang and Paula J. Konigsberg, filed March 19, 2004 as Serial No. 10/804,763, hereby revokes all previous powers of attorney and appoints the Dorsey & Whitney LLP attorneys and agents associated with Customer Number 32940 to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation, said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 1.32; provided that if any one of said attorneys ceases being affiliated with the law firm of DORSEY & WHITNEY LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to Todd A. Lorenz, Esq. at (415) 781-1989.

Address all correspondence to:

Todd A. Lorenz, Esq.  
DORSEY & WHITNEY LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187

Assignee	<u>ISOGENIS, INC.</u>
Name	<u>Uwe D. Staerz</u>
Title	<u>CTO <i>Chairman</i></u>
	<u>1899 Gaylord Street</u>
	<u>Denver, CO 80206</u>
Address	<u></u>
	<u>Signature</u>

Date 08-17-04  
A-72186-1/TAL/DCF

Attorney

Docket

No. 28753/US/3

Matter

No. 471702-00008

## **ASSIGNMENT**

WHEREAS, the undersigned

- 1) Yan QI, resident of Highlands Ranch, county of Douglas, state of Colorado
- 2) Xianghua ZHANG, resident of Aurora, county of Adams, state of Colorado
- 3) Paula J. KONIGSBERG, resident of Denver, county of Denver, state of Colorado

(hereinafter termed "Inventor(s)"), has invented certain new and useful improvements in

### **GENE THERAPY VECTORS HAVING REDUCED IMMUNOGENICITY**

for which an application for a United States Patent was filed on March 19, 2004 having Application Serial Number 10/804,763.

WHEREAS, Isogenis, Inc., a corporation of the State of Delaware having a place of business at 1899 Gaylord Street, Denver, Colorado 80206, is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for

Serial No.: 10/804,763  
Filed: March 19, 2004

interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee as of the dates below written adjacent to each of their respective signatures.

Signature of Inventor : Yan Qi  
Yan Qi

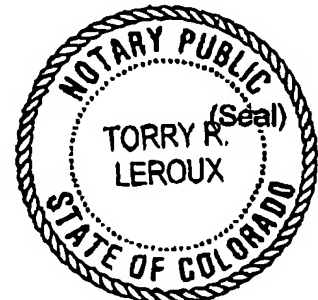
Date : 7/19/2004, 2004

County of Denver )  
 ) ss.  
State of Colorado )

On this 19th day of July In the year 2004,  
before me, Torrey R. Leroux, Notary Public of the State of Colorado  
personally appeared Yan Qi, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within  
instrument, and acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or the entity  
upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Torrey R. Leroux  
My Commission will expire 01/08/2007



Serial No.: 10/804,763  
Filed: March 19, 2004

Signature of Inventor :

Xianghua ZHANG

Date : 7/19/2004

County of Durham

State of Colorado

) ss.  
)

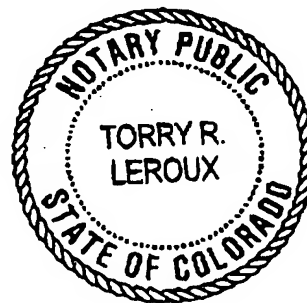
On this 19th day of July In the year 2004,  
before me, Torry R. Leroux, Notary Public of the State of Colorado  
personally appeared Xianghua ZHANG, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the person whose name is subscribed to the within  
instrument, and acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or the entity  
upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

My Commission will expire 01/08/2007

(Seal)



Serial No.: 10/804,763  
Filed: March 19, 2004

Signature of Inventor :

Paula J. Konigsberg  
Paula J. KONIGSBERG

Date : 3/19/04, 2004

County of Denver

State of Colorado

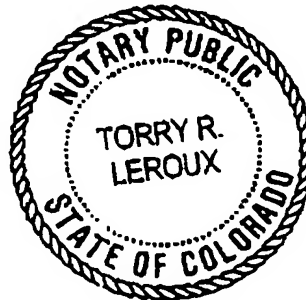
)  
) ss.  
)

On this 19th day of July In the year 2004,  
before me, Torry R. Leroux, Notary Public of the State of Colorado  
personally appeared Paula J. KONIGSBERG, personally known to me (or proved to me  
on the basis of satisfactory evidence) to be the person whose name is subscribed to the  
within instrument, and acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or the entity  
upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Torry R. Leroux



(Seal)

My Commission will expire 01/08/2007